REMARKS

Claims 1-15 are canceled, and new claims 15-27 added. The new claims reflect the amended sheets published with the PCT application, but not properly entered during the national stage. The newly added claims 16 and 25 to incorporate the limitations of canceled claim 2 into canceled claims 1 and 12, respectively. All other claims are essentially the same. Hence, no new matter has been added.

Claims 1-3, 5-8 and 10-14 have been rejected under 35 USC 103(a) as unpatentable over Forslow in view of Bauer. The rejection is respectfully traversed.

Forslow discloses a quality of service for each individual application flow. An appropriately quality of service is separately reserved, monitored, and regulated for each application flow in a PDP context. In addition, Forslow provides a dynamic quality of service reservation mechanism per PDP context, which is introduced into a mobile data communications system in order to function as a quality of service "aware" client network layer that permits integration with other data service architectures, such as the Internet, to permit an end-to-end integrated service where quality of service can be specified from the mobile host all the way to a fixed host in an end-to-end communication.

As conceded by the Examiner, Forslow does not disclose "separating data traffic arising in an access node of the mobile radio network", as required by the claimed invention. In contrast to Forslow, the invention allows to separate traffic data in an efficient way, wherein one part of the traffic data is to receive a specific handling and is routed to a processing unit that is provided for such particular purpose. Further to the separation of data, the claim requires a control function within the access node (e.g., within the GGSN) which decides whether a layer 2 connection is to be routed via the processing unit (or not). Such "layer 2 connection" comprises a complete layer 2 connection (data) and a particular data included in the layer 2 connection that is forwarded to the processing unit (see, e.g., paragraph [0012] of the specification).

The Examiner alleges that such feature can be found in FORSLOW, col. 12, lines 9 to 44 and col. 13, lines 9 to 47:

• The citation on column 12 refers to the SGSN estimating a QoS delay. Upon the estimation, it will be decided whether further reservations may be accepted. Furthermore, data packet forwarding procedures are mentioned including packet classifying, scheduling and policing functions. For classifying and scheduling purposes, queues are employed in the BSS and the SGSN (Fig.11).

The possibility to build a queue for classifying and scheduling purposes does not show a control function to decide whether a layer 2 connection is to be routed via the processing unit. In particular, there is no disclosure towards processing of layer 2 data, required by the claimed invention.

• Regarding the citation on column 13, prioritization of packet transfer is mentioned to schedule QoS delay classes. Further, with reference to Fig. 12, it is shown that the GGSN performs bandwidth policing per flow. Incoming packets are classified by PDP context/QoS delay class, and the packets are scheduled for GTP transfer based on RSVP bandwidth reservation.

However, there is no disclosure of an access node comprising a control function that decides whether a layer 2 connection is to be routed via the processing unit. In particular there is no re-routing of particular layer 2 traffic disclosed, as required in the claimed invention. Additionally, the control function according to the claimed invention decides on the basis of the application-specific information and/or the local information of an information unit that is integrated in the access node. There is also no disclosure in Forslow of such a feature.

Hence, Forslow does not disclose either (i) how to separate data traffic arising in an access node of the mobile radio; or (ii) how a control function within the access node deciding whether a layer 2 connection shall be routed to the processing unit.

Bauer refers to a GPRS system in which a serving GPRS support node operates a leaky-bucket algorithm to control data flow. However, it is not clear as how Bauer is relevant with respect to, for example, the control function within the access node deciding whether a layer 2 connection shall be routed to the processing unit.

Claims 4 and 9 have been rejected under 35 USC 103(a) as unpatentable over Forslow in view of Bauer, further in view of Charas. The rejection is respectfully traversed for the same reasons presented in the arguments above, and since Charas fails to disclose these features.

In view of the above, Applicants submit that this application is in condition for allowance. An indication of the same is solicited. The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing, referencing Attorney Docket No. 118744-180.

Respectfully submitted,

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